





# KENTUCKY LEGISLATURE.

IN SENATE.

TUESDAY, Feb. 17, 1846.

Prayer by the Rev. Mr. BULLOCK.

The Clerk read the Journal of yesterday.

Mr. PEYTON, from the joint committee on Public Printing, presented a report, together with the testimony taken in the investigation of charges against the Public Printer, and whether the rates allowed by law for printing could not be reduced, &c., and a bill concerning the public printing.

The bill was read the first time, ordered to be read a second time, and, together with the report and testimony, ordered to be printed.

Mr. JAMES presented a communication, addressed to him by Buck & Montsarrat, of Louisville, stating the terms on which they would be willing to execute the Public Printing, which was read and ordered to be printed.

Mr. A. BOYD moved that the rules be dispensed to receive a single report (indicated) from the committee on the Judiciary: agreed to, two-thirds concurring.

Mr. HARDIN, from the committee on the Judiciary, to whom had been referred a H. R. act to re-model and change the Judicial Districts, and equalize the labors of the Circuit Judges, reported the same with amendments.

Mr. BUTLER moved that the bill and amendments be printed, and made the special order for to-morrow: negatived.

Mr. PATTERSON moved that the bill lie on the table: negatived, yeas 11, nays 27, as follows: YEAS—Messrs. Bradford, Butler, Crenshaw, Fox, Heady, Helm, James, Patterson, Slaughter, South and Walker—11.

NAYS—Messrs. Ballard, A. Boyd, W. P. Boyd, Bradley, Bramlette, Chenault, Conner, Draffin, Drake, Dyer, Evans, Gray, Hardin, Harris, Henderson, Holloway, Key, Marshall, Newell, Peyton, Swope, Taylor, Thomas, Thurman, Todd, Wallace and Woodson—27.

The first amendment, offered by the committee on the Judiciary, that so much of the bill as attaches Harrison to the 10th district be stricken out, and add Harrison to the 3d district: negatived, yeas 18, nays 19, as follows:

YEAS—Messrs. A. Boyd, Bradford, Bradley, Butler, Chenault, Crenshaw, Dyer, Evans, Gray, Hardin, Henderson, Holloway, Key, Peyton, Slaughter, Taylor, Todd and Woodson—18.

NAYS—Messrs. Ballard, W. P. Boyd, Bramlette, Conner, Draffin, Fox, Harris, Heady, Helm, James, Marshall, Newell, Patterson, South, Swope, Thomas, Thurman, Walker and Wallace—19.

The second amendment from the committee was then reported, that Owen be added to the 17th district.

Mr. DRAFFIN moved to re-consider the vote rejecting the first amendment from the committee: re-considered.

The first and second amendments from the committee on the Judiciary, were then adopted.

The third amendment from the committee, to strike out the 4th and 5th sections of the bill, and insert, that Caldwell, Crittenden, Trigg, Marshall and Calloway shall compose the 2d district: that Henderson shall be added to the 7th district, &c., and that the Judge of the 17th district shall not be required to hold the General Court: adopted.

Mr. WALLACE moved that Oldham be added to the 5th district.

Mr. DRAFFIN moved the previous question: negatived.

Mr. WALLACE's amendment was then rejected, yeas 21, nays 31.

Mr. PATTERSON moved that Union be added to the 2d district: negatived.

Mr. SWOPE moved to strike out the 7th section of the bill, repealing an act requiring Judges to reside in their districts: agreed to.

Mr. NEWELL moved to add Nicholas to Judge Farrow's district, and Harrison to Judge Simpson's: negatived.

Mr. PATTERSON moved that the Judge of the 2d district have two years to move into it.

Mr. A. BOYD moved the previous question: ordered.

The bill was then ordered to be read a third time, yeas 25, nays 12, as follows:

YEAS—Messrs. Ballard, A. Boyd, W. P. Boyd, Bradford, Bradley, Chenault, Conner, Draffin, Drake, Dyer, Evans, Gray, Harris, Henderson, Holloway, Key, Peyton, Swope, Taylor, Thomas, Thurman, Wallace and Woodson—25.

NAYS—Messrs. Butler, Crenshaw, Hardin, Heady, Helm, James, Marshall, Newell, Patterson, Slaughter, Todd and Walker—12.

The third reading having been dispensed, Mr. PATTERSON moved an amendment, as an engrossed rider, that the Judge of the 2d District have two years to move into it: negatived, yeas 24, nays 13, (not two thirds) as follows:

YEAS—Messrs. Ballard, A. Boyd, W. P. Boyd, Bradford, Bradley, Chenault, Conner, Crenshaw, Drake, Hardin, Heady, Henderson, Holloway, James, Patterson, Slaughter, Swope, Taylor, Thomas, Thurman, Todd, Walker, Wallace and Woodson—24.

NAYS—Messrs. Butler, Chenault, Draffin, Dyer, Evans, Gray, Harris, Helm, Key, Marshall, Newell, Peyton and South—13.

The bill, as amended, then passed, yeas 24, nays 14, as follows:

YEAS—Messrs. Ballard, A. Boyd, W. P. Boyd, Bradford, Bradley, Chenault, Conner, Draffin, Drake, Dyer, Evans, Gray, Harris, Henderson, Holloway, Key, Marshall, Peyton, South, Swope, Thomas, Thurman, Wallace and Woodson—24.

NAYS—Messrs. Bramlette, Butler, Crenshaw, Fox, Hardin, Heady, Helm, James, Newell, Patterson, Slaughter, Taylor, Todd and Walker—14.

Mr. A. BOYD, from the committee on Enrollments, reported sundry bills which were signed by the SPEAKER.

On motion of Mr. PATTERSON, the rules were dispensed to receive a report from

Mr. HARDIN, from the committee on the Judiciary, a bill to change the venue in the prosecution against Marmaduke Coker from the Livingston to the Caldwell Circuit Court: passed.

On motion of Mr. PEYTON, the rules were dispensed to receive a report from

Mr. HARDIN, from the committee on the Judiciary, a bill to change the venue in the prosecution against Charles Darnals, from the Breckinridge to the Grayson Circuit Court: passed.

ORDERS OF THE DAY.

A H. R. act to amend the militia laws: abolishes all musters but one in the fall.

revenue in Banks as a payment into the Treasury: Sheriffs to have 7 1/2 per cent. commission on first \$3,000 revenue paid in, and 5 per cent. for all over that sum, &c.: passed, yeas 22, nays 15, as follows:

YEAS—Messrs. A. Boyd, W. P. Boyd, Bradley, Bramlette, Conner, Draffin, Dyer, Evans, Hardin, Harris, Heady, Helm, Henderson, Holloway, James, Marshall, Newell, South, Swope, Thomas, Walker and Wallace—22.

NAYS—Messrs. Ballard, Bradford, Butler, Chenault, Crenshaw, Drake, Fox, Gray, Key, Peyton, Slaughter, Taylor, Thurman, Todd and Woodson—15.

The Senate then took a recess till 3 1/2 o'clock.

EVENING SESSION.

Mr. DRAFFIN, from a select committee, reported a bill to change the name of Eufracia Hendricks to Eufracia Smith.

Mr. TODD moved an amendment to change the name of Benjamin Thomas Sparr to B. T. Gray: adopted.

The bill, as amended, then passed.

Mr. BUTLER, leave to introduce and then to report, as from a select committee, a bill for the benefit of the Louisville tobacco warehouse: the owner allowed to erect another warehouse nearer the river where inspection may be had, &c.: passed.

Mr. HELM, from the committee on the Sinking Fund, a bill for the benefit of Wilson, Knott, & Co.: the sum of \$957 appropriated to pay them for losses as contractors in building Locks and Dams, Nos. 4 and 5, on Kentucky river: re-committed to the committee on Internal Improvement.

ORDERS OF THE DAY.

Sundry H. R. acts were taken up, read a first time, ordered to be read a second time, and referred to appropriate standing committees.

An engrossed bill to complete Lock and Dam No. 2, on Licking river: appropriates \$30,000 to the object: the revenue of Campbell, Kenton and Pendleton, above \$2,000 per annum, and proceeds of rent of water-power at all the dams, to go to complete the five Locks and Dams begun, &c.: passed.

"And the question being taken, shall the bill pass?" it was decided in the negative, yeas 8, nays 29, as follows:

YEAS—Messrs. Dyer, Evans, Newell, Swope, Thomas, Todd, Wallace and Woodson—8.

NAYS—Messrs. Ballard, A. Boyd, W. P. Boyd, Bradford, Bradley, Chenault, Conner, Crenshaw, Draffin, Drake, Fox, Gray, Hardin, Harris, Heady, Helm, Henderson, Holloway, James, Key, Marshall, Patterson, Peyton, Slaughter, South, Taylor, Thurman and Walker—29.

A bill for the benefit of the Lunatic Asylum: made special order for to-morrow.

A bill to change the time of holding the Fleming, Bath, Morgan and Estill Circuit Courts: re-committed to a select committee.

A H. R. act divorcing Jesse Gee from his wife, Elizabeth Gee: passed, yeas 19, nays 16.

A H. R. act divorcing Edward Farrow from his wife, Martha Farrow: passed.

A H. R. act for the benefit of the Covington and Lexington Turnpike Road Company: passed.

A H. R. act for the benefit of Thomas Houser, of Monroe county: passed.

A H. R. act for the benefit of Henry Blanton and Robert Snell, executors of Carter Blanton, deceased: releases them from paying a judgment for nine hundred and ——— dollars in favor of the Commonwealth, proceeds of a sum of money said Carter Blanton had, as administrator of ———, dec'd, who died intestate, without heirs, and which sum had been distributed by said executors, to the legatees of said Carter Blanton, dec'd:

And the question being taken, shall the bill pass? it was decided in the negative, yeas 19, nays 19, as follows:

YEAS—Messrs. Ballard, Bradford, Bramlette, Conner, Crenshaw, Draffin, Drake, Dyer, Fox, Heady, Holloway, Key, Newell, Slaughter, Swope, Thomas, Walker, Wallace and Woodson—19.

NAYS—Messrs. A. Boyd, W. P. Boyd, Bradley, Butler, Chenault, Evans, Gray, Hardin, Harris, Helm, Henderson, James, Marshall, Patterson, Peyton, South, Taylor, Thurman and Todd—19.

The Senate being equally divided, the SPEAKER voted in the negative, and so the bill was disagreed to.

A H. R. act divorcing Thomas Stark from his wife, Nancy Stark: disagreed to, yeas, 11, nays 21. The Senate thus disposed of all the orders of the day.

Mr. DYER moved that a committee be appointed to withdraw from the H. R. the report of the disagreement of the Senate to the bill divorcing Joseph W. Tate from his wife: agreed to, and Messrs. NEWELL, PATTERSON and GRAY were appointed said committee.

A message from the H. R. announcing that they had passed sundry divorce bills, to which they asked the concurrence of the Senate.

On motion of Mr. HENDERSON, Mr. SLAUGHTER, from the committee on Education, had leave to report a bill for the benefit of Laurel and Livingston counties: allows certain districts to draw their share of the school fund, though the Commissioners had failed to report.

Mr. CONNER moved an amendment with a similar provision for Greenup: adopted.

The bill as amended then passed.

Mr. PATTERSON, from the select committee, for that purpose, returned from the H. R. the bill to divorce Joseph W. Tate.

On motion of Mr. DYER, the vote disagreeing to said bill was re-considered.

And then the Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 17, 1846.

Prayer by Rev. Mr. Goodell.

The Journal of yesterday being read by the Clerk, Petitions were presented by Messrs. WALLER, and BOTTS, which were received and referred.

Mr. BARLOW, from the committee on the Penitentiary, submitted a report on the condition of the State prison: which was read—recommending an enlargement of the prison limits, and the passage of the Senate bill on that subject: and also recommending a bill loaning to the present keepers the sum of \$10,000, &c.

Mr. BARLOW stated that he would propose the said loan by way of amendment to the Senate bill.

On motion of Mr. JACKSON, and leave granted, Mr. PETERS, Chairman of the committee on Religion, reported a bill divorcing Susan Garnett from her husband, James Garnett: passed.

REPORTS FROM THE COMMITTEE ON THE JUDICIARY.

The Lien Law.

Mr. HARLAN, from the committee on the Judiciary, proceeded with his reports, to-wit:

A bill for the benefit of Mechanics and Manufacturers: extending and making general the act for the benefit of the Mechanics of Maysville, approved February 1st, 1839, granting Mechanics liens on their work.

A Senate message, by Mr. Secretary KOHLHASS, now reported the action of that body on sundry bills, &c.

Mr. E. SMITH proposed to amend by adding an exception for the counties of Rockcastle and Laurel.

Mr. HARLAN opposed the amendment.

Mr. E. SMITH called for the reading of the bill, and the act of '39, proposed to be extended.

Mr. J. SPEED SMITH submitted his utter dis-

sent to the principle and every provision of the bill. It was partial and invidious favoring the demands and claims of one class at the expense of others.

Mr. BARKLEY had a substitute to offer, for the bill and amendment. He had drawn it upon the suggestions of a petition with which he had been entrusted, and would propose it at the proper time, and he thought it might reconcile the objections taken to the bill which had been reported.

Mr. WALLER was surprised that the bill should meet with any opposition. He was struck with the justice of its provisions. It was a proposition for the benefit of a large class of citizens (and a very deserving class too,) without inflicting injury upon any.

What did the bill propose? It proposed that the labor of men, in all the mechanic arts, which apply to real property and fixtures, and all who furnish materials for fixtures to real estate, should have a lien to the amount of his labor on the property to which his labor has been applied. Such was simply the law. Its provisions had been applied, not only without opposition, but with the utmost facility, in many of our towns and cities. Why not then make its application general? It had found favor, and operated for the benefit of all classes in Maysville, in Covington, in Louisville, in Brandenburg, &c. All the provisions of the act proposed to be extended were entirely general, and applicable to mechanics throughout the State. The gentleman from Madison says the bill is invidious—making distinctions between classes, &c. But, if the gentleman would point out any thing wrong in the principle, then there would be justice and pertinency in his remarks. Mr. W. went upon the principle, that when you advantage the laboring classes, you also operate for the advantage of the community—if, by so doing, you inflict injury upon no one. Then he would ask gentlemen what class of men could be injured by this act? Did it not simply ask and secure the payment of honest debts to labor? and should not the language of scripture remain true, that "the laborer is worthy of his hire?" Could any evil or any injustice come to the employer because he is compelled to pay his honest debt by his property being made liable therefor? The bill did not apply the lien to personal property. It applied only to realty: and why? because it could always be rendered practicable—could always apply, and always be recognized. But such was not the case with personal property: it was too evanescent for any lien to affect it. But because we cannot pass a law to protect that class of laborers, who do not apply their labor to property real, should it follow that we shall not pass a law for the protection of those we can protect? Mr. W. would protect all if he could, &c. Mr. W. extended his remarks upon the idea that society was like a web that is bound together and compacted by innumerable ties and relations: so that when one class was protected, a benefit was conferred upon all. Hence he saw a peculiar fitness and propriety in the law which protects labor by a lien on the very property which it has advantaged, &c.

Copious amendments were then proposed, and some of them were applied to the substitute: which was at length adopted in lieu of the original bill.

The subject was further discussed by Messrs. MAYES, BALEE and GLOVER in favor of the proposition, and by Messrs. DALLAM and J. S. SMITH against it—the latter, at last, moving "to lay the bill on the table, with all its structures, collaterals and incidents:" which motion was, however, ineffectual.

But, finally, when the question was taken on the passage of the bill, the vote stood—yeas 38; noes 53, as follows, to-wit:

YEAS—Messrs. Abbott, Alexander, Balee, Barkley, Botts, Breeden, Brown, Brooks, Clack, Leslie Combs, Conner, Cox, Darnaby, Duncan, Finnell, Glover, Harlan, Hutton, Jackson, D. B. Johnson, Kelly, Maxey, McKellup, Myers, Orndorff, Orr, Peters, Pope, Priest, Reid, Riley, Seaton, J. Smith, Stephens, Stevenson, Thurston, Walker and Waller—38.

NAYS—Mr. Speaker, Messrs. Anthony, Barlow, Barnett, Begley, George Bowling, R. C. Bowling, Cessna, Clarke, Cleveland, J. Combs, Dallam, Desha, Dudley, Elliott, Fallis, Ford, Gano, Gardner, Glenn, Gore, Haggard, Hardy, Hatfield, Hay, Howell, Howell, A. Johnston, Jones, Layne, Mason, Mayhall, Mayes, McCampbell, Miller, Murray, Purdon, Bailey, Rodman, Shawhan, Short, Elisha Smith, J. S. Smith, Sparks, Speed, Berry Stone, Shelby Stone, A. W. Thomas, Wallace, Wheat, Whitlock, Whitsett and Wortham—53.

So the bill was rejected.

THE PRINTING COMMITTEE REPORT.

Mr. FINNELL, by unanimous consent, and under instructions from the committee on Printing, now laid before the House a report in writing—which was received, and ordered to be printed.

Mr. GLENN stated to the House that a minority report would be presented in a few days—and he took occasion to lay before the House a letter from Messrs. Back and Monsarrat, (proposing the terms on which they would execute the public printing,) and to ask that it take the same direction and be printed with the majority report; which being objected to, he moved a dispensation of the rules to allow him to make the motion for such an order; and asked for the reading of the letter, which was had for information.

And then the House refused to dispense—yeas 50, nays 38—three fourths not voting in the affirmative.

Mr. HARLAN, from the committee on the Judiciary, reported a resolution rejecting the petition of John S. Lucas.

Mr. BARLOW proposed to reverse the report; which was concurred in by the House: but before further question was taken, the SPEAKER called the yeas and nays.

On motion of Mr. WHEAT, (in behalf of the gentleman from Wayne, who has suffered much from evil health, during the session,) the rules were dispensed with to allow the committee on Religion to make a report; whereupon,

Mr. PETERS, (Chairman,) reported Senate bill, entitled, an act divorcing Louisa Gray from her husband: which was read a third time and passed.

On motion of Mr. HARDY, Mr. CLARK was appointed to serve as a member of the committee on Claims, in the place of Mr. HEAD, who had leave of absence on account of evil health.

JUDICIARY COMMITTEE REPORTS.

Mr. HARLAN, from the Judiciary committee, under an order of the House, reported a bill for the relief of John S. Lucas, of Warren county: allowing him to import twenty slaves: passed.

A bill for the benefit of Winston Roberts: a deaf mute: authorizing the appointment of a guardian (Eenson Roberts) for the management of his affairs: passed.

A bill to enlarge the boundary of the town of Owensborough, in Daviess county:

When the report was read, Mr. DALLAM arose and remarked, that this bill was based on a petition which to his knowledge, was presented only yesterday morning; and the committee on the Judiciary had been reporting now ten days, to the exclusion of every other committee of the House. However urgent might be the business of the gentleman from Daviess, Mr. (Riley,) there were perhaps a hundred cases now in the hands of committees that were equally as meritorious, &c. He moved to re-commit the bill, with instructions not to report it back till the other standing committees shall have been called.

Mr. PETERS, by consent, in behalf of the committee on the Sinking Fund proposed a joint resolution, which was read to the effect, that, in the opinion of this Legislature, the average rate of tolls on the slack-water navigation of the State, should be increased from twenty-five to thirty per cent—to swell the resources of the Sinking Fund. [Cries of no, no.]

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provided for the work: and Mr. WALLER'S amendment proposing the incorporation for the Maysville and Lexington Railroad Company—allowing the cities of Maysville and Louisville, and the Frankfort and Louisville Railroad Company, each in their corporate capacity, the right of subscribing to any amount of stock. The following gentlemen being named in the bill as Commissioners, to-wit: James Harlan, Edmund H. Taylor, Harry I. Todd, H. I. Bodley, A. G. Hodges, and William R. McKee, at Frankfort; and John J. Jacob, W. H. Pope, Charles M. Strader, Thomas J. Shreve, Joshua B. Bowles, Andrew Buchanan, Wm. Gay, Wm. B. Clifton, Jas. Rudd, Henry Clay, Jr., Samuel Casseday, and William Garvin, at Louisville.

Mr. PETERS took the floor in support of the bill occupying the allotted half hour; and the succeeding half hour was occupied by Mr. HARDY in opposition. The former Speaker will be reported for this paper.

Mr. SEATON followed in support of the proposition.

Mr. B. STONE proposed to lay the bill and amendments on the table, and the yeas and nays being ordered thereon, the vote stood—yeas 35, nays 54.

So the House refused to lay the bill on the table.

Mr. J. S. SMITH proposed to amend by requiring the payment to the State of the \$100,000 in \$25,000 annual instalments, commencing the year after the cars shall commence running, in lieu of the stock proffered, &c.: which was adopted.

The SPEAKER laid before the House a report from the President of the Board of Internal Improvement in relation to certain claims, for damages by slack-water improvements: which was referred to the committee on Internal Improvement.

And then the Chair announced the daily recess.

EVENING SESSION.

The SPEAKER resumed the Chair.

The bill was then ordered to engrossment and a third reading.

When Mr. MAYES took the floor and occupied the allotted thirty minutes in opposition to the bill.

Mr. DUNCAN proposed to amend by adding to the proposition the provisions of the bill to incorporate the Licking and Lexington Railroad Company.

Mr. STEVENSON was then heard in support of the bill as distinct from the amendment just proposed.

Mr. E. SMITH and Mr. BALEE followed on the same side.

Mr. PETERS moved to re-consider the vote by which the amendment of the gentleman from Madison was adopted: with the object of putting the proposition in the alternative,—that is, so that the State may elect whether to take the stock or the money: which was carried.

Mr. L. COMBS moved to put the proposition in the alternative—making it optional with the Legislature whether to receive the \$100,000 or the stock,—by way of amendment to the amendment offered by the gentleman from Madison: which carried.

And the amendment as amended, was then adopted.

And then (the amendment offered by the gentleman from Bourbon being ruled out of order,) the amendment by way of substitute, reported by the select committee, as amended, was concurred in by the House.

Mr. DALLAM asked the unanimous consent of the House to insert an amendment out of order in the body of the bill. [Agreed, agreed.]

The CLERK then read the amendment, striking out that portion which reserves to the State the right to tax the capital stock as real estate after a dividend of five per cent shall have been declared,—and inserting a provision for taxing the travel and freight a half cent a mile per passenger, and one cent a mile per ton, for freight, whenever the profits of the work shall yield a dividend of six per cent: which was adopted.

And the question being taken on the engrossment and third reading of the bill, it was decided in the negative—yeas 38, nays 55, as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Alexander, Balee, R. C. Bowling, Breeden, Brown, Clack, Clarke, Cleveland, James Combs, Leslie Combs, Conner, Cox, Dallam, Darnaby, Ford, Finnell, Glenn, Glover, Hughes, Jackson, Jones, Mayhall, McKellup, Miller, Orndorff, Peters, Pope, Reid, Riley, Rodman, Seaton, E. Smith, J. Smith, Stephens, Stevenson, A. W. Thomas and



expended; and this is urged as an additional reason why we should make the donation asked for by the proposed corporation. I will ask the privilege of judging for myself in relation to this subject, and forming my own conclusion, based not alone upon argument, but also upon indisputable facts. Whether they are of value or not to the State, in my opinion, is not the question to be taken into consideration alone by gentlemen who are disposed to treat the subject properly, and view it in its true light, that they may thereby be the better enabled to vote understandingly on the question when it shall come up for final action.

The true question, (with all due deference to the opinion of others who may differ with me,) to be decided, is not whether the works are begun or of any value to the State, but are they or not worth anything to the Company, if the privilege is granted them, that they are now asking of this House. That the material now in proper place, and placed there by the State, would be of great value to the proposed Company, none will deny. This proposition is too plain to be successfully denied. Then, sir, I would ask it is right, is it reasonable, that this body should give up these partial improvements, however small the value may be, without some compensation in return?

I hear gentlemen urge as a reason why this bill should pass, that it is utterly in vain to hope that the State will ever complete this work of internal improvement; and, therefore, it is right and consistent with every principle of justice, that the donation should be made to the Company, and in the next moment urge upon the attention of the committee, the provision contained in the bill, securing to her the right to purchase them of the Company at a future given period. This to my mind, is indeed, a strange argument in support of the measure, and amounts to nothing more than that she shall be permitted to do that which the friends of the bill themselves admit she will never be able to do.

I will admit as true, one of the propositions urged by the friends of this bill, and one not wholly without its due weight upon my mind. They tell us of the vast resources of the country lying along the course of the Licking river, its inexhaustible mines of hidden wealth, that can only be developed by the aid of slack-water navigation. This I conceive to be an additional reason why the Company should not be permitted to take the works without a fair compensation to the State. Just in the proportion that these resources are developed, in the same proportion will be the profits arising from the control of the navigation of this river.

Gentlemen cannot fail to observe that the privileges granted to the Company by the provisions of this bill are unusual in several respects. I have detained the committee much longer than I intended, but the suggestions I have made are submitted to the consideration of this House, with the hope that they will elicit some information from more experienced and able gentlemen better acquainted with the subject.

## THE COMMONWEALTH, FRANKFORT, KY.

THO. B. STEVENSON, EDITOR.

WEDNESDAY, FEBRUARY 18, 1846.

The Rev. James Smith, of Shelbyville, will preach in the Presbyterian Church in this place, on Thursday evening the 19th inst., at 7 o'clock.

**THE PUBLIC PRINTER AND PRINTING.**—The Joint Committee on Public Printing raised to investigate charges against the Public Printer, and to inquire whether the rates now allowed by law could be reduced, &c., reported in each house yesterday. The report, which was ordered to be printed, and will be laid on the table of members this day, was in all respects favorable to the Public Printer. The committee adopted a resolution, *namely*, that the charges of the Printer for work done, were in conformity with the practice of his predecessors before the law of 1842, fixing the rates; and by a vote of 7 to 3, that his charges since the law of 1842, were in conformity with that law; and each of the three dissenters declared his belief before the committee, that the Public Printer had acted with fidelity and integrity.

The committee reported a bill regulating the rates of public printing hereafter, by which the aggregate cost of printing will be reduced. The rates of the bill were made out by two practical printers, of age and experience, one of each political party.

We note the subject only as a chronicle.

**THE NEW PLANET.**—Mr. William Darby, in a communication to the National Intelligence, states the mean distance of the newly discovered planet, *Asura*, to be 250,000,000 of miles from the Sun, and that it revolves in an orbit between *Vesta* and *Juno*. In relation to the small planets he remarks, that their discovery, "with orbits so near a mean distance from the Sun, or centre of force, has unsettled notions of harmony long prevalent, and yet indulged by many. These bodies have orbits actually traversing each other, and, as far as is known of their relations, we might almost say that they confirm the opinion of La Place, that they are fragments of a single planet, which, by some unknown force has been disrupted. This is, however, no more than suggestion on appearances, and we leave it to time, even if time itself can furnish proof either direct or indirect, and close by observing that a new member of the solar family has taken its place on our planetary tables, exciting in the reflecting mind, thoughts of how vast are the intellectual resources spread through space."

For the Commonwealth.

Mr. STEVENSON:

I have deeply regretted to perceive such a degree of apathy (arising, perhaps, from the deep interest excited by the Oregon question,) prevailing in relation to a question now before Congress, in which the country has a far deeper interest than any which has ever been presented for the consideration of that body, since the foundation of the government. I allude to the question presented by the Secretary of the Treasury, in his report to the present Congress, in which he advises a total abandonment of the protective system, and such a reduction of duty upon every imported article, competing with those which are manufactured in this country, as will enable the foreign manufacturer to bring his fabrics into this country, in successful competition with those manufactured by our home establishments. Now as our manufacturers, by their superior skill and the use of water power, have brought some of our manufactures to such a degree of perfection as to be able to export their fabrics, and sell them abroad to the amount of several millions of dollars annually, in fair and equal competition with foreigners, it follows, that the duty on these articles must be reduced to a very low rate—to one or two per cent. ad valorem—in order to derive the greatest possible amount of revenue therefrom. And so, in relation to all other articles manufactured in the country which are manufactured so cheaply as to exclude the foreign article competing with them; the duty, according to the Secretary's principles, must be reduced to so low a rate as to gain let in the foreign articles, in order

that some duty may be derived therefrom. It must be obvious to every reflecting man, that the Secretary's system, if carried out, will completely break down all our manufacturing establishments. But this is not all. By the reduction of all foreign duties, as recommended by the Secretary, there will necessarily be a great falling off in the revenues, and some other means of supplying the wants of government must be devised. What will they be? The Secretary plainly tells us, it must be by an *excise upon home products*, the most odious and oppressive of all systems of taxation. If any one doubts this, let him read the following clause in his report:

"In accordance with these principles, it is believed that the *largest practicable portion* of the aggregate revenue should be raised by maximum revenue duties upon luxuries whether grown, produced, or manufactured at home or abroad."

I have made these preliminary remarks by way of calling attention to the very able, clear, and intelligent remarks of Mr. Stuart, of Pennsylvania, upon this highly important subject, which ought to be read and maturely reflected upon by every citizen of the United States. I send you a copy of his speech which, though long, I am convinced no person can read without feeling a deep interest in the matter, and deriving much instruction from the fairness and ability with which the whole subject has been discussed. I hope you may be able to find room for the entire speech in the Commonwealth.

A. BEATTY.

NOTE.—Mr. Stewart's able speech will be copied as soon as we can make room for it.

**THE BROCHIERI WATER.**—The New York Commercialist notices some late experiments with this wonderful styptic:

Circumstances prevented our attendance on the renewed experiments with the Brochieri water which were made yesterday. From a reliable source we learn that, save in point of time, the experiments were eminently successful. It is admitted, we understand, by those who have most strenuously contended for its powers, that this water is capricious to a great degree; that there are some cases, the nature of which is not yet known, exerting a powerful and varied influence upon its styptic properties.

It may be a peculiar affinity to atmospheric temperature, or some other equally subtle action. Whatever is the cause, those who have most frequently experimented with the fluid, have observed the fact that sometimes it takes effect much more rapidly than at others.

Yesterday a much longer time than usual was required for the stoppage of the hemorrhage than on some former occasions. The experiments were made on strong, healthy sheep, one of them a young buck, two years old, of great size and vigor. As in the previous experiments, the carotid artery was laid bare, and an instrument placed under it, raising the artery up, so that all night felt its pulsations. Dr. Barrabino made a traverse incision, somewhat oblique, across the artery, cutting through all its coats, and dividing it more than half in two. The wound was immediately succeeded by a forcible jet of bright, red blood, whose intermittent flow showed the powerful and measured action of the heart.

A small pledget of wool was applied to the wound, and the Brochieri water applied. In a very short time the blood ceased to flow, and in the course of some twenty minutes the sheep was allowed to rise. Owing to the struggles of the animal to free itself, or some other cause, a second hemorrhage ensued, and it became necessary to apply the water again, which resulted in a most perfect triumph, the animal in forty minutes from the time the artery was divided being released from restraint, and appearing as free from pain as if nothing had happened. A similar result was obtained in the instance of the buck, with this exception, that when let up, after the first application, it ran and bounded about the yard with undiminished strength, showing that so far as physical debility was attributable to the experiment, the imputation was unfounded.

The Baltimore American, of Tuesday, has the following article on the same subject:

Yesterday we witnessed an experiment to test the properties of the Brochieri water, conducted by Dr. Ninian Pinkney, of the U. S. Navy, assisted by Dr. Joseph B. Coskey, of the U. S. Navy, Hargrove Hinckley, Chas. S. Arcambal, Edward Jamet, Alfred Laroque and E. Laroque, students of medicine in the Washington University. A sheep was placed on a table, and at half past four the carotid artery was entirely severed. The arterial blood immediately gushed forth in a large volume, and with great rapidity. The styptic was instantly applied, and three small pledgets of wool saturated with it were introduced into the wound, and in immediate contact with the wounded artery. In about a minute the blood entirely ceased to flow, and in passing through the wound coagulated quickly and firmly, showing conclusively that it had been acted upon by the water. The pressure was kept up for half an hour, and a portion of the wool removed, and freshly saturated pieces re-applied. The wound was then bandaged, and in an hour and a half after the operation the sheep stood upon its legs and walked about. At seven o'clock we saw the animal and found it eating.

For the Commonwealth.

Mr. STEVENSON:

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TIME WILL END.—Who is the man living that shall not see death? Mortal men dwell in houses of clay; their foundation is in the dust, and they are crushed before the moth. Neither they that live in wealth, nor the man of poverty, can redeem life from the grave. It is a place appointed for all the living. There the oppressor and the oppressed sleep together. The servant and his master will lie side by side. There the indolent and voluptuous find a couch, and the weary and heavy laden a resting place. Rulers and ruled, lofty and low, exalted and humble, rich and poor, bond and free, holy and vile—all are there. They lie down in the dust alike, and the worm shall cover them. In that war there is no discharge. Age, sex, beauty, wealth, circumstance, entreaty, prayer, piety or blasphemy, are alike unavailing with Him who treads the nations into dust.—N. O. Protestant.

**HABITS OF INDUSTRY.**—There is one thing of vital importance in the education of the youth, which is very far from being attended to as it ought. It is, training them to *habits of useful industry*—such useful industry as exercises the body, while it interests the mind. Active exertion is essential to health and comfort. Every physician will tell you so. Indolence begets disease, while it destroys enjoyment. The oil of gladness, says one, "glistens on the face of labor only." But not only so; idleness is a positive, and of a very heinous kind. God has created everything to be useful; and every faculty of body and mind is a talent conferred under the injunction, "Occupy till I come." He who arrives at manhood, without having acquired a habit of industry, lacks a most essential part of education.

EXTENSIVE SALE AT AUCTION.

**Piano Fortes, Sofas, Card and Centre Tables, Ladies' Work Tables, &c.**  
AT TAYLOR & KENNAN'S AUCTION STORE, on Friday Feb. 20, 1846, at half past 2 o'clock, P. M. Will be sold positively without reserve, *Two Splendid Piano Fortes*, manufactured by L. Gilbert, of Boston; six Sofas, and several pairs of Mahogany Card Tables, Centre Tables, Ladies' Work Tables, &c., manufactured in Boston. Those wishing to purchase (Ladies in particular) are respectfully invited to call and examine the property, and furniture on Thursday and Friday previous to the sale. The proprietor will be present in person, and superintend the sale. Terms, cash.  
TAYLOR & KENNAN, Auctioneers, Feb. 18-21

**NEW FIRM.**

THE subscribers have formed a co-partnership under the firm of H. H. HONORE & J. T. PRATT, have purchased of A. Z. Boyer, his entire stock of GOODS, and will continue the business at his old stand, No. 7, Main street, next door to R. Knott. They will receive in a few days a fresh supply of new Goods, which, added to their present stock, will make their assortment very complete. All of which they pledge themselves to sell as low as they can be bought West, for cash or country produce. We would respectfully invite the customers of the house and the public generally, to call and examine for themselves, before purchasing elsewhere.

Having sold my entire stock of DRY GOODS to Mr. H. H. HONORE and Gen. John T. Pratt, I take great pleasure in recommending them to my friends and the public generally.  
Feb. 17, 1846. A. Z. BOYER.

**J. MCGREW.**  
DEALER in Leather, Hides and Family Groceries, St. Clair street, two doors North of the Commonwealth Office. Country produce taken in exchange for Leather; Shoes, Groceries, &c. Feb. 16, 1846.—17.

**FOR LOUISVILLE.**  
SUNDAY AND WEDNESDAY PACKET  
For Louisville, the Steamer TOM METCALFE, JOHN A. HOLTON, Master, leaves as above regularly, at 9 o'clock, A. M. Apply to  
January 10, 1846.—d&w-tf. JOHN WATSON & CO.

**REGULAR PACKET.**  
The Steamer BLUE WING, Captain H. I. TORDEN, leaves Frankfort for Louisville every Tuesday and Friday mornings.  
Leaves Louisville for Frankfort and Woodford Landing every Wednesday at 12 o'clock.  
Leaves Louisville for Frankfort and Monday's Landing every Saturday at 12 o'clock.

**FRANKFORT AND CINCINNATI PACKET.**  
The new and splendid steamer ISAAC SHELBY, J. W. BROWN, commander, will ply as a regular packet between the above ports.  
Leaves Louisville for Cincinnati, every Tuesday and Saturday, at 8 o'clock, A. M.  
Leaves Cincinnati for Louisville, every Monday, Wednesday and Friday, at 10 o'clock, A. M.  
For freight or passage, apply to  
A. Z. BOYER, Frankfort, Ky.  
SWIFT & ROBINSON, Lexington, Ky.  
J. C. FOSTER, Cincinnati, O.  
January 28, 1846.—d&w-tf.

**STEAMBOAT KENTUCKY.**  
The fine new steamer KENTUCKY, SAN'L STEELE, Master, will leave Frankfort for Louisville, every Monday and Friday, at 8 o'clock, A. M.  
Returning, will leave Louisville every Sunday at 9 o'clock, for Frankfort, and every Tuesday, at 12 o'clock, P. M. for the Harrodsburg Landing, and will leave the Harrodsburg Landing for Louisville, at 9 o'clock, Thursday, and the Versailles Landing, at 5 o'clock, P. M. For freight apply on board, or to  
G. W. OWEN, Agent, Frankfort.  
C. BASHAM, Jr., Agent, Louisville.

**DRUGS, PAINTS, DYE-STUFFS, &c.**  
WE have just received, per steamers Ambassador, Talma, and other late arrivals, 500 packages, being a portion of our Spring Stock, and shall continue to receive largely during the season; and, as we purchase our goods from the importers in the East, and carry them exclusively for cash, we are enabled to offer great inducements to dealers, and solicit them to make an examination of our stock and prices before buying elsewhere. We will give the usual credit to punctual men, and receive all kinds of country produce in exchange.  
Louisville, February 12, 1846. J. S. MORRIS & CO.

**BULL & ALDEN,**  
Wholesale and Retail Druggists,  
No. 81, 4th Cross, between Main and Market streets,  
AT THE CORNER OF THE REP. MORTAR,  
LOUISVILLE, KY.

HAVING taken the house recently occupied by Messrs. J. B. WILDER & Co., we are determined to keep constantly on hand a full supply of the following articles, viz:  
Drugs and Medicines, Chemicals, Surgical Instruments, Paints, Oils, White Lead, Turpentine, Copal, Japan, Coach, and Black Varnish, Dye-Stuffs, Indigo, Madder, Window-Glass, Bottles, Vials, Glassware, Spices, Tooth and Hair Brushes, Snuffs, Virginia and Kentucky Tobacco, Soaps, Perfumery, Fancy Articles, Patent Medicines, &c., &c.  
The highest market price will be given for Feathers, Ginseng, Beeswax, Lard, Tallow, Conspinks, Rags, Flax, Mustard, Clover, Hemp, and Timothy Seeds.  
By strict attention to business, we hope to merit a share of the public patronage, and respectfully invite you to call and examine our stock before purchasing elsewhere.  
BULL & ALDEN,  
Feb. 12, 1846—sess\* No. 81, Fourth Cross st.

**FOR SALE.**  
A first rate second hand ROCKAWAY CARRIAGE AND HARNESS.  
Apply to  
Feb. 10-11 C. G. GRAHAM.

**HOUSE AND LOT FOR SALE.**  
THE subscriber wishes to sell the House and Lot situated on the corner of Broadway and Washington streets, adjoining the property of Col. A. G. Hodges, and will receive a share of the public patronage, and respectfully invite you to call and examine our stock before purchasing elsewhere.  
Feb. 10, 1846.—31. F. H. HODGES.

**MOREHEAD'S PRACTICE.**  
THE PRACTICE IN CIVIL ACTIONS AND PROCEEDINGS AT LAW IN KENTUCKY; together with various Precedents of Declarations, with Practical Notes, by JAMES T. MOREHEAD.  
Just received and for sale at  
TODD'S BOOKSTORE.

**W. & C. FELLOWES & CO.,**  
AUCTIONEER AND COMMISSION MERCHANTS.  
DRY GOODS—LOUISVILLE, KENTUCKY.  
CONNECTED WITH FELLOWES, JOHNSON & CO., Commission and Forwarding Merchants, New Orleans. Cash advances made on shipments to either house.  
January 1, 1846.

**ATTENTION!**  
THOSE gentlemen who intend to be instructed in the sword or other military branches, will please call (without delay) on Maj. Dunn or Mr. Stealey, at the Mansion House, and subscribe, as no students can be admitted till twelve men are put down their names, nor pupils added after the first lesson is taken in class, by reason of the system of instruction being progressive. No fee is charged for the first lesson, and the class cannot afterwards be admitted without forming a new class and a new hour for instruction.  
Feb. 13-31.

**H. D. NEWCOMB & BROTHER,**  
WHOLESALE GROCERS AND COMMISSION MERCHANTS,  
Jan. 1, 1846 WALL STREET, LOUISVILLE.

**REMOVAL.**—We have moved to the large and commodious Warehouse recently built by us, No. 48, Main, between 3d and 6th cross streets, where we shall be happy to have a call from our old friends and customers, and buyers generally, and where we can offer them decidedly the largest and best assorted stock of Drugs, Medicines, Paints, Oils, Tobacco, Window Glass, Apothecaries, Shop Furniture, &c., &c., ever offered in the West, and at prices much below what these articles have usually been sold at in this country. The very exorbitant prices at which these articles were sold at in the large cities in the West, was a subject of complaint for many years; we were the first to reduce these prices, and the large patronage that we have received during the past seven years, is a simple testimony of this fact; and to those who are disposed to buy goods at the lowest rates, we can say, give us your patronage and we will certainly give you full satisfaction.  
J. B. WILDER & CO.,  
Jan. 1, 1846, Main street, Louisville.

**J. B. WILDER & CO.,**  
WHOLESALE DRUGGISTS,  
No. 48, MAIN ST., BETWEEN FIFTH AND SIXTH CROSS STREETS,  
(Sign of the Golden Mortar.)  
LOUISVILLE, KY.

**JARVIS & TRABUE,**  
WHOLESALE DEALERS IN  
FRENCH, ENGLISH, ITALIAN, AND AMERICAN STAPLE  
CORN OF MAIN AND THIRD STREETS,  
January 1, 1846. LOUISVILLE, KY.

**RUPERT & LINDENBERGER,**  
LOUISVILLE, KENTUCKY.  
NOW HAVE, and shall continue to have, one of the most extensive stocks to be found in the Western country, comprising a general assortment of  
DRUGS, MEDICINES, PAINTS, OILS,  
Dye-Stuffs, Window Glass and Glass Ware, Tobacco and Spices, with a great variety of other goods, many of which they import directly, purchased exclusively for Cash; to which they invite the attention of Merchants, Druggists, Physicians, Manufacturers and dealers generally—prices *extra low* for CASH.  
To Country Produce of all kinds, or the usual time to punctual men.  
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**JARVIS & TRABUE,**  
WHOLESALE DEALERS IN  
FRENCH, ENGLISH, ITALIAN, AND AMERICAN STAPLE  
CORN OF MAIN AND THIRD STREETS,  
January 1, 1846. LOUISVILLE, KY.

**RUPERT & LINDENBERGER,**  
LOUISVILLE, KENTUCKY.  
NOW HAVE, and shall continue to have, one of the most extensive stocks to be found in the Western country, comprising a general assortment of  
DRUGS, MEDICINES, PAINTS, OILS,  
Dye-Stuffs, Window Glass and Glass Ware, Tobacco and Spices, with a great variety of other goods, many of which they import directly, purchased exclusively for Cash; to which they invite the attention of Merchants, Druggists, Physicians, Manufacturers and dealers generally—prices *extra low* for CASH.  
To Country Produce of all kinds, or the usual time to punctual men.  
January 1, 1846.

**J. B. WILDER & CO.,**  
WHOLESALE DRUGGISTS,  
No. 48, MAIN ST., BETWEEN FIFTH AND SIXTH CROSS STREETS,  
(Sign of the Golden Mortar.)  
LOUISVILLE, KY.

## FRANKFORT FEMALE INSTITUTE.

THE third session of this School will commence on the 2nd day of March next. The services of a young lady (who was formerly associated with the principal of this institution while conducting the female department of the Boone Academy,) have been secured as an assistant. The principal takes great pleasure in introducing and recommending her to the public, entertaining as she does, a high opinion, not only of her attainments, but her ability as an instructor. She therefore feels fully authorized to assure her patrons and the public generally, that no pains will be spared to impart such instruction in all departments, as shall qualify the young ladies for usefulness in whatever sphere they may be destined to move.

Mrs. MARY T. RUNYAN, Principal.  
Miss MARY F. TOLSEY, Assistant.

February 6, 1846—sess.

**CIDER!**—5 casks old Crab Cider, for sale at retail by D. & G.

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